

Appeal Decision

Site visit made on 20 July 2017

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 August 2017

Appeal Ref: APP/H1515/D/17/3175464

4 Lordship Close, Hutton, Brentwood CM13 2QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Conley against the decision of Brentwood Borough Council.
 - The application Ref: 17/00164/FUL dated 1 February 2017 was refused by notice dated 29 March 2017.
 - The development proposed is the construction of a two-storey front extension, and part single / part two-storey side and rear extension following demolition of existing garage (amendments to planning approval ref: 16/01535/FUL).
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a two-storey front extension, and part single / part two-storey side and rear extension following demolition of existing garage (amendments to planning approval ref: 16/01535/FUL), at 4 Lordship Close, Hutton, Brentwood CM13 2QY, in accordance with application ref: 17/00164/FULL dated 1 February 2017, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) This permission shall relate to the following approved plans: 1:1250 site location plan; existing floor plans (drawing no. 16101/20); existing elevations (16101/21); proposed floor plans (16101/22); proposed roof plan (16101/23); proposed elevations (16101/24) and block plan & site location plan (16101/25).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main issue

2. The main issue is the effect on the living conditions of the occupiers of the adjoining property, No. 3 Lordship Close.

Reasons

3. The dwelling on the appeal site is a detached two storey dwelling, one of a number of similar design in this small cul-de-sac. Some have been altered and extended.
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4. Permission has been recently granted to extend the dwelling under permission 16/01535/FUL. Whilst compared to this approved scheme the appeal scheme would involve a reduced amount of two-storey extensions, the single-storey rear extension, which would extend along the side boundary with the adjoining property no. 3, would be 3.5 metres longer with a pitched roof rather than a flat roof.
5. No. 3 Lordship Close, which lies to the north of the appeal site, is set further forward in its plot compared to the dwelling on the appeal site and the proposed extension would result in a continuous wall of about 2.25 m to eaves with low pitched roof above being sited along the majority of the length of the common boundary.
6. Whilst the eaves height of the proposed extension would be higher than a typical boundary fence and have a more solid appearance due to its additional pitched roof over, I do not consider that overall this would result in an unacceptably harmful impact, particularly when compared to the existing permitted scheme. There are a number of bushes and small trees located towards this boundary within the garden area of this adjoining property which would provide a reasonable degree of screening. Even if these were to be removed, it is my opinion that the proposed extension would not be so overbearing as to result in a significantly harmful impact on the enjoyment of the garden area, nor would it significantly reduce any sunlight received within it due to its single-storey height.
7. I have noted the concerns of the occupier of the neighbouring property and have mainly addressed these above; in addition I note that there are no other similar depth extensions to other nearby properties, but having regard to the above permission and the existing garden buildings located close to the boundary, it is my view that in this instance, it would be acceptable. The effect on property values is not relevant to the consideration of planning merits.
8. I therefore find that the proposal would not be unacceptably harmful to the living conditions of the occupiers of No. 3 Lordship Close and would thus accord with policy CP1 of the Brentwood Replacement Local Plan (2005) which seeks to ensure that development does not have an unacceptable impact on visual amenity or the general amenities of nearby occupiers and is otherwise compatible with its location.
9. In addition to a condition to refer to the approved plans a condition is also necessary to ensure that the extensions are built in materials to match the existing dwelling in the interests of the visual amenity of the area.
10. I therefore conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR